

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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United States of America,

Case No. 21-cr-238 (ADM/TNL)

Plaintiff,

v.

**ORDER**

Jeremiah Deshawn Johnson (2), and  
Charles Sims (4),

Defendants.

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This matter comes before the Court on Defendant Jeremiah Deshawn Johnson's First Motion for Continuance (ECF No. 68) and Defendant Charles Sims' Motion for Extension of Time to File Pre-Trial Motions (ECF No. 69). Defendants Johnson and Sims request a continuance of the motions filing date from Monday, May 16 to Friday, May 20, 2022. Defendant Johnson requests the continuance to conduct further negotiations with the Government. (ECF No. 68 at 1.) Defendant Sims requests the continuance due to technical difficulties reviewing some of the discovery. (ECF No. 69 at 1.) The Government does not object to either request for a continuance of the motions filing date. (ECF No. 68 at 1; ECF No. 69 at 2.) The Government is not currently requesting a continuance of its May 31, 2022 deadline to file its responses to the motions, nor is any party requesting a continuance of the June 7, 2022 motions hearing.

Additionally, beginning on March 13, 2020, and continuing thereafter, the Honorable John R. Tunheim, Chief District Judge for the United States District Court for the District of Minnesota, has issued a series of General Orders in connection with the

COVID-19 pandemic, addressing, among other things, criminal proceedings and trials.<sup>1</sup> On March 21, 2022, Chief Judge Tunheim entered General Order No. 35, which continues to authorize the use of videoconferencing in certain criminal proceedings and states that, with the defendant's consent, criminal proceedings will be conducted by videoconferencing, or telephone conferencing if videoconferencing is not reasonably available. *See generally In re: Updated Guidance to Court Operations Under the Exigent Circumstances Created by COVID-19*, Gen. Order No. 35 (D. Minn. Mar. 21, 2022). **Accordingly, should a defendant file pretrial motions, counsel shall also file a letter indicating whether that defendant consents to a motions hearing by videoconference.** *See, e.g.*, ECF Nos. 40, 66.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant Jeremiah Deshawn Johnson's First Motion for Continuance (ECF No. 68) and Defendant Charles Sims' Motion for Extension of Time to File Pre-Trial Motions (ECF No. 69) is **GRANTED**.

2. All motions in the above-entitled case shall be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **May 20, 2022**. D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses shall be delivered directly to the chambers of Magistrate Judge Leung.

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<sup>1</sup> All General Orders related to the COVID-19 pandemic may be found on the Court's website at <https://www.mnd.uscourts.gov/coronavirus-covid-19-guidance>.

5. **Should a defendant file pretrial motions, counsel shall also file a letter on or before May 16, 2022, indicating whether that defendant consents to a motions hearing by videoconference.** *See, e.g.,* ECF Nos. 40, 66.

6. Counsel shall electronically file a letter on or before **May 20, 2022**, if no motions will be filed and there is no need for hearing.

7. All responses to motions shall be filed by **May 31, 2022**. D. Minn. LR 12.1(c)(2).

8. Any Notice of Intent to Call Witnesses shall be filed by **May 31, 2022**. D. Minn. LR. 12.1(c)(3)(A).

9. Any Responsive Notice of Intent to Call Witnesses shall be filed by **June 3, 2022**. D. Minn. LR 12.1(c)(3)(B).

10. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The government makes timely disclosures and a defendant pleads particularized matters for which an evidentiary hearing is necessary;  
or
- b. Oral argument is requested by either party in its motion, objection or response pleadings.

11. **If required, the motions hearing shall take place before the undersigned on June 7, 2022, at 1:00 p.m., in Courtroom 9W, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, Minneapolis, Minnesota.** D. Minn. LR 12.1(d).

12. **TRIAL:** The trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for District Judge Ann D. Montgomery to confirm the new trial date.

Dated: May 17, 2022

s/Tony N. Leung  
Tony N. Leung  
United States Magistrate Judge  
District of Minnesota

*United States v. SEALED et al.*  
Case No. 21-cr-238(2), (4) (ADM/TNL)